

EDWARDS ANGELL PALMER & DODGE LLP
David R. Marshall
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Attorneys for New York University and
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750 Lexington Avenue
New York, New York 10022.6030
212.308.4411

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DESMOND LEUNG and WILTON JONES,

Plaintiffs,

08 CV 5150 (GBD)

-against-

NOTICE OF MOTION

NEW YORK UNIVERSITY, NEW YORK UNIVERSITY
MEDICAL CENTER, RICHARD COHEN, DANIEL
BENSIMON, JESSICA GARCIA, CAROL STRAPKAY,
GINELLE ANDREWS, SABRINA STINES, and JEAN
GOLDBERG,

Defendants.

PLEASE TAKE NOTICE that upon the Declaration Of David R. Marshall, dated September 5, 2008, and the exhibits attached thereto, and the accompanying Memorandum Of Law In Support Of Defendants New York University's and NYU Hospitals Center's Motion For Partial Dismissal Of The Complaint, Defendants New York University and NYU Hospitals Center will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and time to be designated by the Court, for an order pursuant to Rule 12 (b)(6) and (1) of the Federal Rules of Civil Procedure, partially dismissing, with prejudice, the Complaint of Plaintiffs Desmond Leung and Wilton Jones and granting such other and further relief, including costs and attorneys' fees, as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Rule 6.1 of the Local Civil Rules of the Southern and Eastern Districts of New York, Plaintiffs shall serve any opposing affidavits and answering memoranda within ten business days after service of Defendants' motion to dismiss the Complaint.

Dated: September 5, 2008
New York, New York

EDWARDS ANGELL PALMER & DODGE LLP

By: 

David R. Marshall

Robert J. Brener

Attorneys for Defendants New York University and
NYU Hospitals Center
750 Lexington Avenue
New York, New York 10022
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To: Ugo Uzoh, P.C.
Attorneys for Plaintiffs
255 Livingston Street, 4th Floor
Brooklyn, NY 11217
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UNITED STATES DISTRICT COURT
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**AFFIDAVIT
OF SERVICE**

NEW YORK UNIVERSITY, NEW YORK UNIVERSITY
MEDICAL CENTER, RICHARD COHEN, DANIEL
BENSIMON, JESSICA GARCIA, CAROL STRAPKAY,
GINELLE ANDREWS, SABRINA STINES, and JEAN
GOLDBERG,

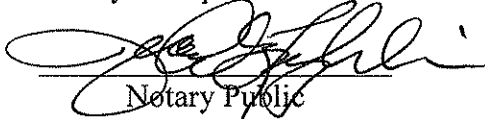
Defendants.

Julia Rabinovich, being duly sworn, deposes and says that she is over the age of eighteen; is not a party to this action; and that on the 5th day of September, 2008, she caused a true and correct copy of the foregoing NOTICE OF MOTION to be served upon:

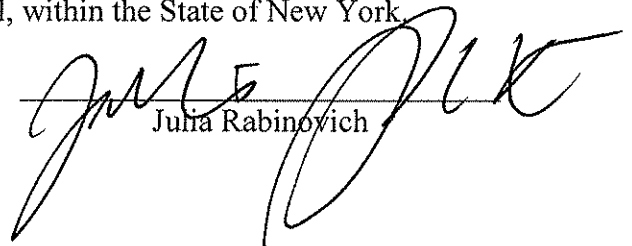
**Ugo Uzoh, P.C.
Attorneys for Plaintiff
255 Livingston Street, 4th Floor
Brooklyn, NY 11217**

by depositing a true copy of said document enclosed in prepaid, sealed wrapper, properly addressed to the above-named party, in an official depository under the exclusive care and custody of the United States Postal Service, first class mail, within the State of New York.

Sworn to before me this
5th day of September 2008


Notary Public

JEAN W. McLOUGHLIN
Notary Public, State of New York
No. 01MC6184463
Qualified in Queens County,
Commission Expires April 7, 2012


Julia Rabinovich